## TOWN OF BERLIN REQUEST FOR QUALIFICATIONS

Notice is hereby given that consultant qualifications will be received by the Town of Berlin, Maryland for:

# RFQ # 2017 - 01 Cable Communications Franchise Renewal Consulting Services

by filing with the Town of Berlin, 10 William Street, Berlin, MD, 21811 until:

Date: Wednesday, March 15, 2017 Time: 3:00 P.M. EST

### **Deliver submittals to:**

Laura Allen, Town Administrator Town of Berlin 10 William St. Berlin, MD. 21811 Attn: RFQ 2017-01

The Town of Berlin is in the process of renewing its cable franchise agreement with Comcast. The Town is seeking proposals for consulting services to assist with this process.

A detailed Request for Qualifications (RFQ) information packet including general information, requested services, submittal requirements, and evaluation process is attached.

Qualifications submitted after the due date will not be considered. Consultants accept all risks of late delivery of mailed submittals regardless of fault.

The Town of Berlin reserves the right to reject any and all submittals and to waive irregularities and informalities in the submittal and evaluation process. This RFQ does not obligate the Town to pay any costs incurred by respondents in the preparation and submission of their statement of qualifications. Furthermore, the RFQ does not obligate the Town to accept or contract for any expressed or implied services.

It is the Town of Berlin's policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities.

The Town is committed to a program of equal employment opportunity regardless of race, color, creed, sex, age, nationality, disability, or sexual orientation. The successful consultant must comply with the Town of Berlin's equal opportunity requirements.

#### **General Information**

NOTICE: Notice is hereby given that letters of interest and statement of qualifications will be received by the Town of Berlin, Maryland for Cable Communications Franchise Renewal Consulting Services by filing with the Town at the above location.

#### **BACKGROUND:**

The Town of Berlin is a community of 4,500 people located on Maryland's eastern shore. The Town operates under a Strong Mayor form of government. Berlin provides the following services to the community's residents: police, public works, parks, water, wastewater, stormwater, electricity, economic development, planning, code enforcement, engineering (under contract), and general administration.

#### SCOPE OF SERVICES:

The Town of Berlin, Maryland (the "Town") is soliciting requests for qualifications for the purpose of obtaining consulting services to assist in the renewal of its franchise agreement with Comcast.

In November of 2002, the Town granted a franchise to Comcast Cablevision of Eastern Shore Inc. The franchise was due to expire in November 2015, but was extended by mutual agreement until November 14, 2017. Comcast is seeking a 15-year franchise agreement.

In general, the Town is seeking a consultant to:

- Complete a technical review of the cable system to determine compliance with the franchise, applicable codes, and best practices, and to assess system repair and capacity.
- 2. Provide guidance and assistance in surveying the community regarding the services provided by Comcast, compliance with the franchise agreement, and identification of current and future community needs.
- Provide expertise and assistance to the Town in preparation for and throughout franchise renewal negotiations, including financial analysis, franchise fee audit, legal review, and assessment of proposed franchise submitted by Comcast in November 2016.

**QUALIFICATIONS:** These services will require the firm to have the following qualifications:

- Five (5) or more years of related experience
- Experience working with Maryland municipal entities on similar projects

#### **SUBMITTAL REQUIREMENTS:**

Responses to this RFQ must include the following information:

- A cover letter/statement of interest indicating the firm's interest in the project and highlighting its qualifications to perform this project.
- A description of the firm's experiences working with municipal government.
- Statement of qualifications, including related experience with similar types of projects and specific qualifications or resumes of key team members.
- A description of the firm's approach to the project.
- Up to three (3) examples of similar projects.
- A minimum of three (3) references relating to completed projects for the services being requested with full name, title, address, phone and fax numbers.

- Responses must be limited to no more than ten (10) sheets excluding specific project examples, references, resumes and covers. Sheets shall be printed double sided.
- Provide 3 copies of the submittal.
- Provide an hourly rate schedule, along with an estimate of the costs associated with each of the tasks in the Scope of Services.
- **PROPRIETARY PROPOSAL MATERIAL** Any proprietary information revealed in the proposal should, therefore, be clearly identified as such.
- **SIGNATURES:** RFQ's shall be signed by one of the legally authorized officers of said corporation. If awarded the contract, the Contract shall also be so executed.
- EVALUATION CRITERIA: Evaluations will be based on the criteria listed below:
  - Experience of firm with similar projects
  - Experience of proposed project team and key team members
  - Approach to the project
  - Overall quality of statement of qualifications

The Town may select a limited number of consultants for in-person interviews before a selection committee.

- **QUESTIONS:** Questions regarding this project may be directed to Laura Allen via e-mail at <a href="mailto:lallen@berlinmd.gov">lallen@berlinmd.gov</a> by February 27, 2017. Answers will be posted on the Town's website by 5 pm EST on March 6, 2017. Any oral communications will be considered unofficial and non-binding on the Town.
- **REJECTION OF SUBMITTALS:** The Town reserves the right to reject any and all submittals and to waive irregularities and informalities in the submittal and evaluation process. This RFQ does not obligate the Town to pay any costs incurred by respondents in the preparation and submission of their qualifications. Furthermore, the RFQ does not obligate the Town to accept or contract for any expressed or implied services.
- CONTRACT AWARD: The Town reserves the right to make an award without further discussion of the submittals. The firm selected as the apparently successful firm will be expected to enter into a contract with the Town. Following consultant selection, the successful consultant shall prepare a proposal and scope of work for review by the Town. Once the Town and Consultant have reached an agreement on the scope of services, a final contract will be prepared by the Town. The foregoing should not be interpreted to prohibit either party from proposing additional contract terms and conditions during the negotiations of the final Contract. If the selected firm fails to sign the Contract within ten (10) business days of delivery of the final Contract, the Town may elect to negotiate a Contract with the next-highest ranked firm. The Town shall not be bound, or in any way obligated, until both parties have executed a Contract. No party may incur any chargeable costs prior to the execution of the final Contract.
- **CONTRACT NEGOTIATION:** The Town reserves the right to negotiate all elements of the submittals, proposals, terms and conditions, and/or scope of work as part of the contract negotiation process prior to any formal authorization of the Contract by the Town.

- EQUAL OPPORTUNITY EMPLOYMENT: The successful consultant or consultants must comply with the Town of Berlin equal opportunity requirements. The Town of Berlin is committed to a program of equal employment opportunity regardless of race, color, creed, sex, age, nationality or disability.
- TITLE VI: It is the Town of Berlin's policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities.
- **INSURANCE REQUIREMENTS:** The Consultant shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons or damages to property, errors and omissions or professional liability that may arise from or in connection with the performance of work hereunder by the Consultant, his agents, representatives, employees or subcontractors. The cost of such insurance shall be paid by the Consultant.
- NON-ENDORSEMENT: As a result of the selection of a firm to supply products and/or services to the Town, firm agrees to make no reference to the Town in any literature, promotional material, brochures, sales presentation or the like without the express written consent of the Town.
- COMPLIANCE WITH LAWS AND REGULATIONS: In addition to nondiscrimination and affirmative action compliance requirements previously listed, the consultant or consultants ultimately awarded a contract shall comply with federal, state and local laws, statutes and ordinances relative to the execution of the work. This requirement includes, but is not limited to, protection of public and employee safety and health; environmental protection; waste reduction and recycling; the protection of natural resources; permits; fees; taxes; and similar subjects.